Rebuttal Expert Report
Dr. Josh Fisher

My educational background is in population management/medicine, public health, veterinary sciences, informatics, and healthcare administration. I have worked in the veterinary medical and animal welfare fields for more than 15 years holding management roles in private and cooperative veterinary practices, the North Carolina State College of Veterinary Medicine, county government, and currently as the Animal Services Director for the City of Charlotte/Charlotte-Mecklenburg Police Department. I am also the current President of the National Animal Care & Control Association (NACA) which provides resources, standardized training, and support to animal care and control professionals throughout the United States.

I have reviewed the report prepared by Ron Berman and Michael Golinko, M.D. and offer the following opinions based upon my education, background, experience, and training.

Dangerous or vicious dogs should be identified and labeled based on their actions or behavior, not because of their suspected breed. The identification of a mixed breed dog or dog of unknown origin as a pit bull based on visual breed identification is subjective and tantamount to guess work. In mixed breed dogs, physical characteristics are not necessarily reflective of an animal's actual breed make up. Similarly, physical characteristics of mixed breed dogs are not reliable predictors of the percentage or number of breeds within a particular animal's ancestry. For these reasons, studies or anecdotal experience which attribute biting or other dangerous behaviors to specific breeds or groups of breeds based on visual breed identification are inherently unreliable.[1] This same flaw exists in studies or anecdotal experience which attribute more severe bites to members of certain breeds (as opposed to the size of the dog involved) or "unprovoked"[2] attacks by certain breeds.

Breed specific prohibitions are premised on the assumption that the prohibited breeds pose a greater risk of danger to the community than other breeds. This premise is not supported by reliable evidence that canine breeds (as opposed to size) are predictive of dangerousness. Nor have studies shown that the adoption of breed specific legislation has been correlated to statistically significant increases in community safety.

While breed specific legislation may be well intentioned, it is not recognized as a best practice for decreasing dog bites and is an ineffective management tool for increasing public safety.

/s/ Joshua Fisher
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[1] In addition, to determine whether a specific breed is overrepresented in the number of reported bites, it is necessary to know that breed's percentage within the overall dog population in that community.

[2] Determining whether an attack was unprovoked based on the information contained in animal control records can be difficult if not impossible due to the complex mix of behavioral and environmental factors involved in any biting incident.